REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

I. Status of the Claims

Claims 18-37 were pending in the application.

Claims 18-30 are cancelled without prejudice or disclaimer of the subject matter contained therein.

Claims 18-37 stand rejected.

Claim 34 is amended.

Claims 38-55 are added. No new matter is added.

Added claims 38-43 are computer-readable medium claims directed to similar subject matter as claims 31-37. In view of the following arguments regarding claims 31-37, Applicants respectfully submit that claims 38-43 are in condition for allowance.

Added claims 44-49 are apparatus claims directed to similar subject matter as claims 31-37. In view of the following arguments regarding claims 31-37, Applicants respectfully submit that claims 44-49 are in condition for allowance.

Added claims 50-55 are apparatus claims directed to similar subject matter as claims 31-37, but contain the additional limitation that the connection request message comprises an IP datagram. In view of the following arguments regarding claims 31-37, Applicants respectfully submit that claims 50-55 are in condition for allowance.

II. Rejections Under 35 U.S.C. §103

Claims 18-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,134,591 to Nickles et al. ("Nickles") in view of U.S. Patent Application Publication No. 2002/0073322 to Park et al. ("Park").

As noted above, claims 18-29 are cancelled, rendering these rejections moot.

III. Rejections Under 35 U.S.C. §102

Claims 30-37 and 14-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Nickles. Applicants respectfully traverse these rejections.

With respect to claims 14-20 and 30, as noted above, these claims are cancelled, rendering these rejections moot.

With respect to claim 31, the Examiner contends that Nickles discloses all of the claimed elements of independent claim 31. Applicants respectfully disagree with the Examiner. Contrary to the Examiner's contention, Nickles does not disclose or suggest that the receiving party computer system open a TCP connection at the receiving party computer system for the initiating party computer system after receiving a connection request from the initiating party computer system as recited in claim 31.

Nickles is directed to a system and method of setting up a secure connection between a computer system 16 and an application server 20, wherein a network security server 24 negotiates the connection between the computer system 16 and the application server 20 (See Nickles, column 7, lines 3-16). The computer system 16 may first send a request to a web server 32 that forwards the request to the security server 24 (Nickles, column 7, lines 3-11). The computer system 16 and the application server 20 do not directly negotiate with each other to set up a connection. It is the security server 24 that negotiates the connection between the computer system 16 and the application server 20 and generates random TCP/IP port numbers and a single-use public key to be used during the connection (See Nickles, column 9, lines 20-30).

Fig. 6 of Nickles illustrates the disclosed messaging protocol utilized in negotiating a connection (Nickles, Brief Description of the Drawings). As can be seen from Fig. 6, there is no direct connection between the computer system 16, designated "USER" in the figure, and the application server 20, designated "OBJECT MANAGER" in the figure (Nickles, Fig. 6). To negotiate a connection, the computer system 16 makes a request to a web server 32 (Nickles, column 7, lines 3-6; Fig. 6). The web server 32 passes the request on to the security server 24 (Nickles, column 7, lines 8-12). The security server 24 receives the request from the web server 32

and then negotiates a connection between the computer system 16 and the application server 20 (See Nickles, column 9, lines 20-31).

In contrast to the system disclosed by Nickles, the invention claimed in the present application improves the security of TCP/IP based communication without the need for the significant overhead associated with a security server. Claim 31 requires the steps of "prior to the establishment of a TCP/IP connection an initiating party computer system sending a connection request message to a receiving party computer system" and "receiving the connection request message at the receiving party computer system". In the system disclosed by Nickles, a connection request is not sent to the receiving party, but is instead sent to the security server 24, possibly through the web server 32. Further, the application server 20 disclosed by Nickles does not receive a connection request message directly from the computer system 16. As described above, the computer system 16 and the application server 20 do not directly communicate with one another during the negotiation of a connection. Thus, Nickles does not disclose these claim limitations.

Moreover, Nickles does not disclose that the receiving party computer system opens the TCP connection. Claim 31 requires that the receiving party computer system open a TCP connection for the initiating party computer system. In the system disclosed by Nickles, it is the "security computer system [that] sets up a communication 30 protocol between the first computer program module and the second computer program module" (Nickles, column 3, lines 29-31). Thus, Nickles does not disclose "opening a TCP connection at the receiving party computer system for the initiating party computer system" as recited in claim 31.

In light of the foregoing, the cited reference fails to disclose, teach, or suggest that the receiving party computer system open a TCP connection at the receiving party computer system for an initiating party computer system after receiving a connection request from the initiating party computer system. Consequently, Applicants submit that claim 31 is both novel and inventive over the cited reference and respectfully request that the rejection be withdrawn. Applicants further submit that claims 32-37, which are dependent upon claim 31, are allowable at least by reason of dependency upon an allowable base claim.

CONCLUSION

Each and every point raised in the Office Action dated April 4, 2008 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 31-55 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining that the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: October 2, 2008

Respectfully submitted,

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